

*These notes relate to the Health (Tobacco, Nicotine etc. and Care)  
(Scotland) Act 2016 (asp 14) which received Royal Assent on 06 April 2016*

# HEALTH (TOBACCO, NICOTINE ETC. AND CARE) (SCOTLAND) ACT 2016

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## EXPLANATORY NOTES

### THE ACT – OVERVIEW

#### **Part 1 – Tobacco, Nicotine Vapour Products and Smoking**

##### *Chapter 1 – Sale of Tobacco and Nicotine Vapour Products*

#### **Sale and purchase of tobacco and nicotine vapour products**

##### *Section 6 – Purchase of nicotine vapour products on behalf of persons under 18*

28. [Section 6\(1\)](#) of the Act inserts section 6A (purchase of nicotine vapour products on behalf of persons under 18) into the 2010 Act.
29. Section 6A(1) makes it an offence for a person aged 18 or over to buy or attempt to buy a NVP on behalf of a person aged under 18. This is commonly known as a ‘proxy purchase’ offence. Section 6A(2) provides that a person who commits this offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).